

P. H. Robinson Consulting  
Urban Planning, Consulting and Project Management

City of Ottawa Committee of Adjustment  
101 CentrepoinTE Drive, 4<sup>th</sup> Floor  
Ottawa, ON K2G 5K7

August 30th, 2023

Attn: Mr Michel Bellemare  
Secretary Treasurer

Re: 5146 Carp Rd (Consent applications)  
Part of Lot 5, Concession 10,  
Former Township of Fitzroy, now in the City of Ottawa  
Harold Baird, David Baird, Robert Baird, Thomas Baird, Dorothy Baird

On behalf of the property owners, we are submitting Consent to Sever applications for 5146 Carp Rd. The retained lands are zoned both RU - Rural Countryside and EP3 - Environmental Protection and they are within the Rural Countryside and Greenspace designation. The severed parcels are entirely within the Rural Countryside designation and are zoned RU - Rural Countryside.

The intent of these applications is to sever the existing lot into three parts for residential purposes. The resulting parcels will be Part 1: 11,036.7 m<sup>2</sup> (1.1 ha); Part 2: 10,258.4 m<sup>2</sup> (1.0 ha); and the Remaining Part: 810,689.9m<sup>2</sup> (81.07 ha). Parts 1 and 2 will each have frontages of 78.86 m. The Remaining Part will have a frontage of 324.33 m to the south of Parts 1 and 2. These lot areas and lot widths comply with the Zoning By-Law requirements for the RU zone. Lot 1 and 2 are approximately 265 m and 242 m from the area of the remaining part zoned EP3, respectively.

The intention for Parts 1 and 2 is to create new residential lots. These lands have not been successful for crop production and so the owners have decided to stop using the land for crops.

The applications being submitted are as follows:

- Severing Part 1 from Parts 2 and the Remaining Part (application 1)
- Severing Part 2 from the Remaining Part (application 2)

We would request that the Committee, when rendering its decision, only require the owners to survey the length and depth of the two new lots (approximately 1.1 ha and 1.0 ha in size) and not the depth of the retained lot as a condition of the consent being granted. The retained lot has an area of approximately 80 ha and side lot lines in excess of 1350 m much of which is in a heavily forested area on the east side of the lot.

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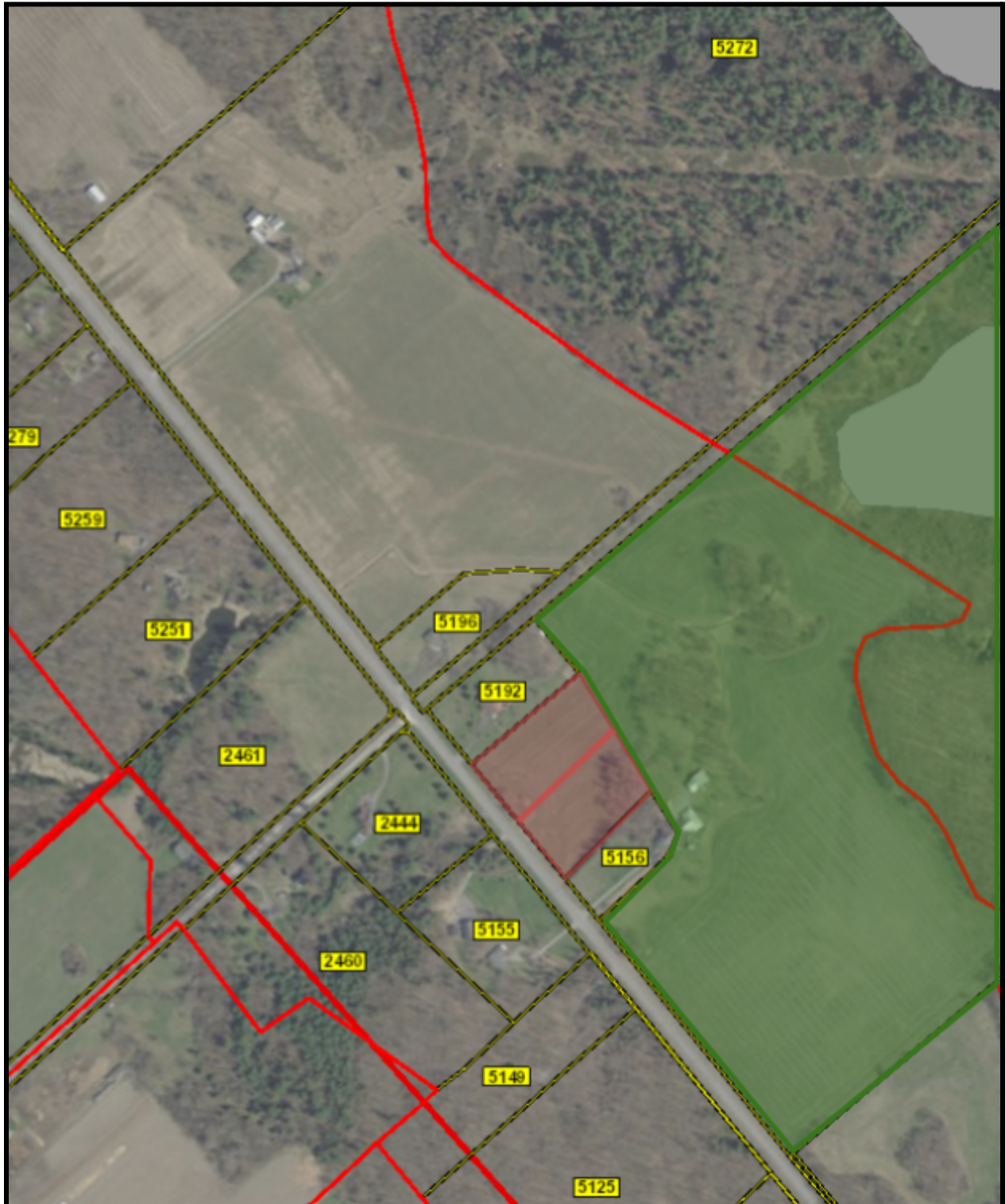


Image showing the lots to be **severed** and **retained (5146 Carp Road)** as well as the existing lotting pattern on Carp Rd.





Image showing the subject properties to be severed and their distances to livestock barns within a 750m radius.

As per the MDS calculations being filed with this application, there are no setback issues to nearby agricultural operations.



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Below are images taken of the subject property with the **approximate lot line locations** shown in red.



**Image of the southern lot from the street looking north.**



**Image of the north lot looking towards 5192 Carp along Carp Rd.**

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**Image of the southern property looking south along Carp Rd.**



**Image from the berm between the two proposed lots looking southwest towards Carp Rd.**





**Image of the northern property looking north at 5192 Carp.**



**Image of the northern lot looking northwest along Carp Rd.**



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**Image showing the property across Carp Rd from the parent parcel at 5155 Carp.**



**Image of the southern lot looking east towards the existing dwelling at 5156 Carp.**

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Section 53 (1) of the Planning Act indicates that ‘ an owner, chargee or purchaser of land, or such owner’s, chargee’s or purchaser’s agent duly authorised in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 2021, c. 25, Sched. 24, s. 4 (1).

The reasons why this division of land can proceed as a consent application and does not need to be done via a Plan of Subdivision are provided below in the responses to the applicable sections of Section 51 (24) of the Planning Act.

Section 51 (24) of the Planning Act states that in considering the draft of a subdivision, the following factors will be considered:

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2:

(a) the protection of ecological systems, including natural areas, features and functions; The proposed severance does not interfere with the ecological systems onsite. The majority of the key ecological activity would be located to the rear of the retained lands in the area zoned EP3. The proposed north lot is located approximately 250 m from the EP3 zone at its closest point, and the proposed south lot is approximately 240 m from the zone at its closest. The proposed severances do not cross areas of ecological significance.

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems. Each parcel has frontage on an active roadway so neither parcel requires additional roads to be constructed. The resulting parcels will use private sewage and water systems similar to the abutting property to the east at 5156 Carp Rd.

(h) the orderly development of safe and healthy communities. Part 1 and 2 on the draft reference plan is currently used for crop rotation, but they have potential as residential lots. The lots will be a comparable size to the surrounding parcels and will be an efficient use of space as residential lots on private services.

(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities. There are a variety of schools within a 15 km (radius distance) from the subject site. Additionally, there are various religious institutions, recreational facilities (parks, rec centres, etc.) and community centres within a 15 km radius.

(p) the appropriate location of growth and development. The area is currently used as a crop rotation between corn, soybean, and hay. We are intending to



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match the residential lot pattern across the street from the subject property and the severance applications will allow for two new residential lots to be created.

(b) whether the proposed subdivision is premature or in the public interest. The division of land is not premature as there are three smaller, residential lots on the north side of Carp adjacent to the severed lots, and two residential lots on the south side of Carp across from the severed lots.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any. This land conforms to all applicable policies in the Rural Countryside section of the Official Plan except one: 9.2.3.3. This policy states, "Lot creation for the purpose of a residential use is prohibited except where all of the following are met." However, not all the conditions apply to this parcel, therefore not all the conditions can be met. City Planning staff acknowledge that the Official Plan team is in the process of preparing an amendment to clarify the miswording in the Official Plan, which will bring the current application into conformity on all counts. This situation has been in place since late 2021/early 2022 and it was expected that the provincial approval of the Official Plan would correct this through a red-lined revision, but that did not happen. At the time of the submission of this application, we are not aware of any timeline to correct this matter, and many rural severance applications have been approved by the Committee with these policies issues in place.

(d) the suitability of the land for the purposes for which it is to be subdivided. The lands subject to the severances of Parts 1 and 2 will be zoning compliant in terms of lot width and lot area and will be compatible with the existing residential lot pattern in the direct vicinity of the parcels.

(i) the adequacy of utilities and municipal services. The dwelling at 5156 Carp is connected to private services and provisions for a private well and septic for each lot will be made available for the severed lots as well.

(j) the adequacy of school sites. Stonecrest Elementary School is within 7 km network distance; Huntley Centennial Public Elementary School is within 9.5 km network distance; Wooden Park Middle School is within 11.5 km network distance; but the majority of schools and education centres are located in Kanata North which is approximately 20 km via roads from the subject site. The created and retained lots are within the existing student transport catchment areas.

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It is because of the above-stated reasons that we do not believe a Plan of Subdivision is required. There is no need for new road construction or servicing upgrades. Primary and secondary Consent applications are an efficient and practical way to divide these lands.

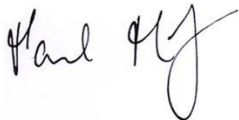
At this time, we are submitting the following in support of the application:

- Completed application forms for the primary and secondary consents
- Property owner's authorization
- Parcel Abstract Page (PIN)
- Application fees
- A draft 4R Plan (With surveyors sketch plan of the overall property) showing the severed and retained lands
- MDS calculations worksheet with aerial photos
- Lawyer's letter requesting a retained land certificate and confirming there are no ownership issues that would contravene section 50 of the Planning Act

When the notification signs are ready for this application could you please email the undersigned and I will arrange for them to be picked up and installed on the property.


Should you have any questions or require anything further, please do not hesitate to contact the undersigned at (613) 599 9216 or via email at [probinson@probinsonconsulting.com](mailto:probinson@probinsonconsulting.com)

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Paul Robinson RPP

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Jasmine Paoloni, Junior Planner